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7 Attorney for JAVIER HERRERA-ARCIGA

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 UNITED STATES OF AMERICA,
12
Plaintiff,
13
v.
14 JAVIER HERRERA-ARCIGA,
15
Defendant.
16

Case No. 3:17-cr-00013-HDM-WGC

**ORDER GRANTING
STIPULATION TO CONTINUE
SENTENCING HEARING
(FIRST REQUEST)**

17 IT IS HEREBY STIPULATED AND AGREED by and through RENE L.
18 VALLADARES, Federal Public Defender and KATE BERRY, Assistant Federal Public
19 Defender, counsel for JAVIER HERRERA-ARCIGA and NICHOLAS A. TRUTANICH,
20 United States Attorney, and SUE FAHAMI & ANDOLYN JOHNSON, Assistant United States
21 Attorneys, counsel for the UNITED STATES OF AMERICA, that the Sentencing hearing set
22 for February 4, 2020, at 9:00 AM, be vacated and continued to April 1, 2020, at 10:00 AM.
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1 The continuance is necessary for the following reasons:

2 1. This is a joint request by counsel for the Government and counsel for the
3 Defendant, Mr. Herrera-Arciga.

4 2. The additional time requested by this Stipulation is reasonable pursuant to
5 Federal Rule of Criminal Procedure 32(b)(2), which states that the “court may, for good cause,
6 change any time limits prescribed in this rule.”

7 3. Both counsel request this additional time in order to allow adequate time to
8 research sentencing issues and to prepare for the sentencing hearing.

9 4. Mr. Herrera-Arciga is currently detained and agrees to the continuance.
10 Specifically, Mr. Herrera-Arciga was informed that the continuance will allow defense counsel
11 to continue to gather documents in support of the hearing and provide continuity of counsel.
12

13 5. This is the first request for continuance of the sentencing hearing.

14 DATED this 20th day of December, 2019.
15
16

17 RENE L. VALLADARES
18 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

19 By: /s/ Kate Berry

By: /s/ Sue Fahami

20 KATE BERRY
21 Assistant Federal Public Defender
22 Counsel for Javier Herrera-Arciga

SUE FAHAMI
Assistant United States Attorney
Counsel for United States
NICHOLAS A. TRUTANICH
United States Attorney

23 By: /s/ Andolyn Johnson

24 ANDOLYN JOHNSON
25 Assistant United States Attorney
26 Counsel for United States

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IT IS THEREFORE ORDERED that the Sentencing Hearing currently set for February 4, 2020, at 9:00 AM, be vacated and continued to **April 1, 2020, at 10:00 AM in Reno Courtroom 4 before Judge Howard D. McKibben. IT IS SO ORDERED.**

Howard D McKibben

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